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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/040,149	01/02/2002	Bob Janssen	DVME-1018US	9408
21302 7590 03/12/2007 KNOBLE, YOSHIDA & DUNLEAVY EIGHT PENN CENTER SUITE 1350, 1628 JOHN F KENNEDY BLVD PHILADELPHIA, PA 19103			EXAMINER SCUDERI, PHILIP S	
			ART UNIT 2153	PAPER NUMBER
SHORTENED STATUTORY PERIOD OF RESPONSE			MAIL DATE	DELIVERY MODE
3 MONTHS			03/12/2007	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

**Office Action Summary**

Application No.

10/040,149

Applicant(s)

JANSSEN ET AL.

Examiner

Philip S. Scuderi

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 18 January 2007.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-10, 18 and 19 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-10, 18 and 19 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_.
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_.
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: \_\_\_\_\_.

## DETAILED ACTION

### *Response to Arguments*

Applicant's arguments presented in the pre-appeal conference request filed 18 January 2007 have been fully considered and are persuasive enough to overcome the § 102 rejection(s) over Willems (U.S. Patent No. 5,613,090). Those rejections have been withdrawn. However, applicant's arguments are not fully persuasive.

Applicant argues that modifying the invention shown by Willems in figure 9 by making the window manager remote as described in prior art figure 8 would disregard the primary stated goal of the invention of figure 9, which is to reduce network traffic. That is, applicant essentially argues that Willems teaches away from making such a modification.

Whether Willems teaches away from modifying the invention of figure 9 to arrive at applicant's claimed invention is irrelevant here because Willems does not teach away from modifying the prior art shown in figure 8 to arrive at the claimed invention.

The only substantial difference between prior art figure 8 disclosed by Willems and applicant's claimed invention is that in Willems' figure 8 the window manager does not necessarily control the client's locally run applications. See Willems at fig. 8; col. 13, ll. 39-58. However, this feature was known in the art as shown by Willems in figure 9. It would have been obvious to modify the prior art window manager of figure 8 by enabling it to control a client's locally run applications to reduce the amount of front-end code required. See Willems at col. 14, ll. 1-5.

It has also come to the examiner's attention that the rejection(s) over the Frese reference (U.S. Patent No. 5,909,545) should not have been withdrawn because Frese still anticipates the claims for the reasons that are set forth in the rejection(s) below.

***Claim Rejections - 35 USC § 102***

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

**Claims 1-10, 18, and 19 are rejected under 35 U.S.C. 102(b) as being anticipated by Frese (U.S. Patent No. 5,909,545).**

As to claim 1, Frese teaches a server-based computing system, comprising at least one server (20) and at least one client computer (16), connected to the server (20) through a network, wherein the server (20) comprises means for providing the client computer (16) with a user interface (web page), wherein the client computer (16) comprises an input device for providing input to an application (22) through the user interface (web page) and a display device for presenting output from an application (22) through the user interface (web page), wherein the server (20) comprises means for running the application (22), wherein the client computer (16) comprises means for locally running at least one further application (18), wherein the system comprises means for controlling the locally run applications (18) through the user interface (web page) provided by the server (20). See Frese at fig. 1; col. 6, ll. 39 to col. 8, ll. 50.

Claim 1 recites “the client computer ... is configured to enable the server ... to control the display on a screen of the display device ... of a screen area having contents generated locally on the client computer” (emphasis added). To meet this limitation, Frese’s client computer (16) merely needs to be capable of enabling the server (20) to control the display on a screen of the display device of a screen area having contents generated locally on the client computer (16). See MPEP §

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2111.04. Frese's client computer (16) is connected to the server (20) via a network and is therefore capable of enabling the server (20) to control the display on a screen of the display device of a screen area having contents generated locally on the client computer (16). See Frese at fig. 1; col. 6, ll. 39 to col. 8, ll. 50.

Moreover, Frese would anticipated the claims even if they actually required the server to control the display on a screen of the display device of a screen area having contents generated locally on the client computer. Specifically, Frese teaches a server (20) that controls the display on a screen of the display device of a screen area (specifies RDM applet 18's parameters) having contents generated locally (RDM applet 18's display) on the client computer (16). See Frese at fig. 1; col. 6, ll. 39 to col. 8, ll. 50.

As to claim 2, Frese teaches means for controlling an application (22) running on the server (20) and further applications (18), running locally, through the user interface (web page). See Frese at fig. 1; col. 6, ll. 39 to col. 8, ll. 50.

As to claim 3, Frese teaches that the user interface (web page) comprises means for initiating a locally run application (18). See Frese at fig. 1; col. 6, ll. 39 to col. 8, ll. 50.

As to claim 4, Frese further teaches means for presenting an overview of available applications installed on the server and on the client computer through the user interface. See Frese at col. 7, ll. 46-55; col. 8, ll. 8-10.

As to claim 5, Frese teaches that the user interface comprises means for presenting an overview of applications running on the server (20). See Frese at col. 8, ll. 8-10.

As to claim 6, Frese teaches that the user interface (web page) comprises means for generating a merged local client screen for display on the display device. See Frese at fig. 1; col. 6, ll. 39 to col. 8, ll. 50.

As to claim 7, Frese teaches that the server (20) comprises means for controlling the display of the merged local client screen on the display device. See Frese at fig. 1; col. 6, ll. 39 to col. 8, ll. 50.

As to claim 8, Frese teaches that the client computer (16) comprises means for generating a local client screen area (browser), comprising visual output from the locally run applications (18), and the server (20) comprises means for generating a screen area, wherein the system comprises means for merging the local client screen area and the screen area generated by the server, to form a local client screen. See Frese at fig. 1; col. 6, ll. 39 to col. 8, ll. 50.

As to claim 9, Frese teaches means for automatically updating the local client screen, when changes occur in the local client screen or in the screen area generated by the server. See Frese at fig. 1; col. 6, ll. 39 to col. 8, ll. 50.

As to claim 10, Frese teaches means for selecting a running application; and means for providing input to the selected application or means for presenting output from the selected application on the client computer (16) through the user interface (web page). See Frese at fig. 1; col. 6, ll. 39 to col. 8, ll. 50.

As to claim 18, Frese teaches a computer program stored on a computer readable medium, wherein the computer program can be loaded onto a server (20) through a network to a client computer (16) wherein the client computer (16) comprises an input device for providing an input to an application (22) through a user interface (web page) and a display device for presenting output from an application (22) through the user interface (web page), wherein the server (20) comprises means for running the application (22), wherein the client computer (16) comprises means for locally running at least one further application (18), and wherein the server (20) and client computer (16) comprise means for controlling the locally run applications (18) through a user interface (web

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page) provided by the server (20), wherein the computer program, when run on the server (20) instructs the server (20) to provide the client computer (16) with the user interface (web page).

Claim 18 recites “the computer program ... allows the server to control the display on a screen of the display device ... of a screen area having contents generated locally on the client computer” (emphasis added). To meet this limitation, Frese’s server (20) merely needs to be capable of controlling the display on a screen of the display device of a screen area having contents generated locally on the client computer (16). See MPEP § 2111.04. Frese’s server (20) is connected to the client computer (16) via a network and is therefore capable of controlling the display on a screen of the display device of a screen area having contents generated locally on the client computer (16). See Frese at fig. 1; col. 6, ll. 39 to col. 8, ll. 50.

Moreover, Frese would anticipated the claims even if they actually required the server to control the display on a screen of the display device of a screen area having contents generated locally on the client computer. Specifically, Frese teaches a server (20) that controls the display on a screen of the display device of a screen area (specifies RDM applet 18’s parameters) having contents generated locally (RDM applet 18’s display) on the client computer (16). See Frese at fig. 1; col. 6, ll. 39 to col. 8, ll. 50.

As to claim 19, Frese teaches a computer program stored on a computer readable medium, wherein the computer program can be loaded onto a computer (16), the computer (16) being connected through a network to a server (20), and comprising an input device for providing input to an application (22) through a user interface (web page) and a display device for presenting output from an application (22) through the user interface (web page), wherein the server (20), comprises means for running an application (22), and wherein the computer comprises means for locally running at least one further application (18), wherein the computer program, when run on the

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computer (16), causes the computer to accept the user interface (web page), the user interface (web page) being configured for controlling the at least one locally run application (18) and being provided by the server (20), and further causes the computer (16) to display a screen area having contents generated locally (RDM applet 18's display) on the client computer (16) according to display properties (applet parameters) specified by (in an APP tag) the server (20). See Frese at fig. 1; col. 6, ll. 39 to col. 8, ll. 50.

***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

**Claims 1-10, 18, and 19 are rejected under 35 U.S.C. 103(a) as being unpatentable over Willems (U.S. Patent No. 5,613,090).**

As to claim 1, in regards to figure 8, Willems describes a prior art X Windows environment, comprising at least one server (X server) and at least one client computer, connected to the server (X server) through a network, wherein the server (X server) comprises means for providing the client computer with a user interface (window manager 100), wherein the client computer comprises an input device for providing input to an application (X applications) through the user interface (window manager 100) and a display device for presenting output from an application (X applications) through the user interface (window manager 100), wherein the server (X server)

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comprises means for running the application (X applications). See Willems at fig. 8; col. 13, ll. 39-58.

Willems does not expressly disclose that the client computer comprises means for locally running at least one further application. Nonetheless, it was well known in the art to provide a client computer with means for running local applications. It would have been obvious to provide such a means here so that users can run their own local applications.

The prior art shown in figure 8 of Willems does not teach controlling locally run applications through the user interface (window manager 100) provided by the server (X server). However, enabling a window manager (i.e., a user interface) to control locally run applications was well known in the art, as evidenced by Willems discussion in regards to figure 9.

In regards to figure 9, Willems describes a window manager that controls a client's locally run applications and provides advantages such as reducing the amount of front-end code required. See Willems at fig. 9; col. 13, ll. 59 to col. 14, ll. 13. It would have been obvious to modify the prior art window manager of figure 8 by enabling it to control a client's locally run applications to reduce the amount of front-end code required. See Willems at col. 14, ll. 1-5.

Claim 1 recites "the client computer ... is configured to enable the server ... to control the display on a screen of the display device ... of a screen area having contents generated locally on the client computer" (emphasis added). To meet this limitation Willems' client computer merely needs to be capable of enabling the server (X server) to control the display on a screen of the display device of a screen area having contents generated locally on the client computer (16). See MPEP § 2111.04. Willems' client computer is connected to the server (X Server) via a network and is therefore capable of enabling the server (X Server) to control the display on a screen of the display

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device of a screen area having contents generated locally on the client computer. See Willems at fig. 9.

Moreover, Willems would obviate the claims even if they actually required the server to control the display on a screen of the display device of a screen area having contents generated locally on the client computer because enabling the window manager to control a client's locally run applications would enable it to control the display on a screen area of the display device of a screen area having contents generated locally on the client computer. See Willems at fig. 9; col. 13, ll. 59 to col. 14, ll. 13.

As to claim 2, Willems further teaches means for controlling an application running on the server and further applications, running locally, through the user interface. See Willems at fig. 8, 9; col. 13, ll. 39 to col. 14, ll. 13.

As to claim 3, Willems does not expressly disclose that the user interface comprises means for initiating a locally run application. However, it was well known in the art that X Windows environments provide means for initiating locally run applications. It would have been obvious to provide means for initiating locally run applications here to enable users to conveniently initiate the locally run applications. See Willems at fig. 8, 9; col. 13, ll. 39 to col. 14, ll. 13.

As to claims 4 and 5, Willems does not expressly disclose presenting an overview of available applications installed on the client and/or the server. However, it was well known in the art that X Windows environments provide means for presenting an overview of available applications. It would have been obvious to provide means for presenting an overview of available applications to enable users to conveniently locate available applications.

As to claim 6, Willems further teaches means for generating a merged local client screen, for display on the display device. See Willems at fig. 8, 9; col. 13, ll. 39 to col. 14, ll. 13.

As to claim 7, Willems further teaches that the server comprises means for controlling the display of the merged local client screen on the display device. See Willems at fig. 8, 9; col. 13, ll. 39 to col. 14, ll. 13.

As to claim 8, Willems further teaches that the client computer comprises means for generating a local client screen area, comprising visual output from the locally run applications, and the server comprises means for generating a screen area, wherein the system comprises means for merging the local client screen area and the screen area generated by the server, to form the local client screen area. See Willems at fig. 8, 9; col. 13, ll. 39 to col. 14, ll. 13.

As to claim 9, Willems further teaches means for automatically updating the local client screen, when changes occur in the local client screen, when changes occur in the local client screen area and/or in the screen area generated by the server. See Willems at fig. 8, 9; col. 13, ll. 39 to col. 14, ll. 13.

As to claim 10, Willems further teaches means for selecting a running application; and means for providing input to the selected application and/or means for presenting output from the selected application on the client computer through the user interface. See Willems at fig. 8, 9; col. 13, ll. 39 to col. 14, ll. 13.

As to claim 18, in regards to figure 8, Willems describes a prior art X Windows environment, comprising a computer program stored on a computer readable medium, wherein the computer program can be loaded onto a server (X server) connected through a network to a client computer wherein the client computer comprises an input device for providing input to an application (X applications) through a user interface (window manager 100), wherein the server (X server) comprises means for running the application (X applications). See Willems at fig. 8; col. 13, ll. 39-58.

Willems does not expressly disclose that the client computer comprises means for locally running at least one further application. Nonetheless, it was well known in the art to provide a client computer with means for running local applications. It would have been obvious to provide such a means here so that users can run their own local applications.

The prior art shown in figure 8 of Willems does not teach controlling locally run applications through the user interface (window manager 100) provided by the server (X server). However, enabling a window manager (i.e., a user interface) to control locally run applications was well known in the art, as evidenced by Willems discussion in regards to figure 9.

In regards to figure 9, Willems describes a window manager that controls a client's locally run applications and provides advantages such as reducing the amount of front-end code required. See Willems at fig. 9; col. 13, ll. 59 to col. 14, ll. 13. It would have been obvious to modify the prior art window manager of figure 8 by enabling it to control a client's locally run applications to reduce the amount of front-end code required. See Willems at col. 14, ll. 1-5.

Claim 18 recites "the computer program ... allows the server to control the display on a screen of the display device ... of a screen area having contents generated locally on the client computer" (emphasis added). To meet this limitation, Willems' server merely needs to be capable of controlling the display on a screen of the display device of a screen area having contents generated locally on the client computer (16). See MPEP § 2111.04. Willems's server is connected to the client computer via a network and is therefore capable of controlling the display on a screen of the display device of a screen area having contents generated locally on the client computer (16). See Willems at fig. 8; col. 13, ll. 39-58.

Moreover, Willems would obviate the claims even if they actually required the server to control the display on a screen of the display device of a screen area having contents generated

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locally on the client computer because enabling the window manager to control a client's locally run applications would enable it to control the display on a screen area of the display device of a screen area having contents generated locally on the client computer. See Willems at fig. 9; col. 13, ll. 59 to col. 14, ll. 13.

As to claim 19, Willems teaches a computer program stored on a computer readable medium, wherein the computer program can be loaded onto a computer, the computer being connected through a network to a server (X server), and comprising an input device for providing input to an application (X applications) through a user interface (window manager 100) and a display device for presenting output from an application (X applications) through the user interface (window manager 100), wherein the server (X server), comprises means for running an application (X applications). See Willems at fig. 8; col. 13, ll. 39-58.

Willems does not expressly disclose that the computer comprises means for locally running at least one further application. Nonetheless, it was well known in the art to provide a client computer with means for running local applications. It would have been obvious to provide such a means here so that users can run their own local applications.

The prior art shown in figure 8 of Willems does not teach that the user interface (window manager 100) controls the at least one locally run application and causes the computer to display a screen area having contents generated locally on the client computer according to display properties specified by the server. However, enabling a window manager (i.e., a user interface) to control locally run applications was well known in the art, as evidenced by Willems discussion in regards to figure 9.

In regards to figure 9, Willems describes a window manager that controls a client's locally run applications and provides advantages such as reducing the amount of front-end code required.

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See Willems at fig. 9; col. 13, ll. 59 to col. 14, ll. 13. It would have been obvious to modify the prior art window manager of figure 8 by enabling it to control a client's locally run applications to reduce the amount of front-end code required. See Willems at col. 14, ll. 1-5. Enabling the window manager of figure 8 to control the client's locally run applications would cause the user interface to display a screen area having contents generated locally on the client computer according to display properties specified by the server.

### *Conclusion*

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Philip S. Scuderi whose telephone number is (571) 272-5865. The examiner can normally be reached on Monday-Friday 9:00 am - 5:30 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Glenton B. Burgess can be reached on (571) 272-3949. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.



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SUPERVISORY PATENT EXAMINER

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